

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit: 3781
Rieck, Hajo) Confirmation No.: 6760
Serial No.: 10/541,845) Examiner: Robin Annette Hylton
Filed: June 27, 2006)
Atty. File No.: 1604BPE-17-PUS)
Entitled: *"Fixing the Position of a Pull-Tab with*
an Anti Rotation Bead Formed from the Panel")
Commissioner for Patents)
P.O. Box 1450)
Alexandria, VA 22313-1450)

Affidavit of Denise Marsh

Dear Sir:

I am the head docketing specialist of Sheridan Ross P.C. and I hereby affirm that the Notice of Allowance dated September 21, 2010 related to the above-identified patent application was never received. More specifically, it is our practice to review all incoming correspondence and docket all associated due dates. In the case of a Notice of Allowance and Issue Fee Due (PTOL-85), the Issue Fee Due Date is recorded. As the docket associated with the above-identified patent application does not include a line item for the due date to pay the Issue Fee, it is evident that the PTOL-85 was never received.

I am aware that wilful and false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and may jeopardize the ability of the application or patent issuing thereon. Statements made herein are made of my own knowledge and are true and all statements are made upon information and belief that are believed to be true.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:



Denise Marsh

Docketing Department

Sheridan Ross P.C.

1560 Broadway, Suite 1200

Denver, Colorado 80202

Date: December 30, 2010

Reference #	1604BPE-17-PUS	Title	Fixing the Position of a Pull-Tab with an Anti Rotation Bead Formed from the Panel		Priority	01/13/2003
Country	US	UNITED STATES			Mail	06/27/2006
New / Con	DCA				File	06/27/2006
Related	N/A				Publication	Y 03/22/2007
Type	UTL	Client	1604BPE	Ball Packaging Europe GmbH	Issued	
Serial #	10/541,845	Agent			1st File	12/23/2003
Patent #		Client Ref	D-5055		Expiration	12/23/2023
Status	PUBLISHED	Agent Ref				
SE	NO	Ind Claims	7			
TEXT1		Tot Claims	53			
TEXT2		Publ #	US 2007-0062950 A1			
TEXT3		Art Unit	3781		Location	
PATTSY #	P07546US00	Examiner	Robin Annette Hylton			
		Confirm #	6760			

H	ACTION	BASE	DU IN	DU	EXTNS	CURRENT	FINAL	EXT	RESPONSE	CALL UP	B	W	P
Y	ACCEPTANCE OF POA	02/11/2008											
N	SC	STATUS CHECK	07/16/2008	20 M	03/16/2010		03/16/2010	03/16/2010	0 01/21/2010	0 M	Y	Y	Y
N	RE	RESPONSE TO OA	01/21/2010	3 M	07/01/2010	3 I	05/21/2010	07/01/2010	1 05/19/2010	1 M	Y	Y	Y
N	56	X-CITE REFS/OA	04/21/2010	3 M	04/21/2010		07/01/2010	07/01/2010	0 05/03/2010	1 M	Y	Y	Y
N	NC	NON-COMPLIANT NOTICE	05/21/2010	1 M	07/01/2010		07/01/2010	07/01/2010	0 06/18/2010	1 M	Y	Y	Y

Re: Amendment filed 05/19/10

Y	SUPPLEMENTAL NOA	11/04/2010											
N	RE STATUS CHECK	05/19/2010	6 M	11/19/2010		11/19/2010	11/19/2010	0	06/01/2010	0 M	Y	Y	Y
N	SC	STATUS CHECK	06/15/2010	12 M	06/15/2011		06/15/2011	06/15/2011	0		0 M	Y	Y

INVENTORS

Rieck, Hejo
Chalk, Richard
Gray, Martin

ASSIGNEES

Ball Packaging Europe GmbH

PRIOR APPLICATIONS

REFERENCE #	CTRY	SERIALNO	FILED	TITLE	TYPE
	WO	PCT/DE03/04283	12/23/2003	Fixing the Position of a Pull-Tab with an Anti Rotation Bead Formed from the Panel	APPL
	DE	103 00 914.0	01/13/2003	Fixing the Position of a Pull-Tab with an Anti Rotation Bead Formed from the Panel	APPL
	DE	103 19 971.3	05/05/2003	Fixing the Position of a Pull-Tab with an Anti Rotation Bead Formed from the Panel	APPL

FAMILY MEMBERS

REFERENCE #	COUNTRY	NEW/CON	SERIAL #	FILED	PATENT #	ISSUED	STATUS
1604BPE-17-PUS	UNITED STATES	DCA	10/541,845	06/27/2006			PUBLISHED

Entered 02/06/2009 Modified 11/08/2010 Operator DCM

Attorneys BAK CWM CWM JMB

Craig Mueller

From: Hylton, Robin [mailto:Robin.Hylton@USPTO.GOV]
Sent: Wednesday, November 03, 2010 9:50 AM
To: Craig Mueller
Cc: Bruce Kugler
Subject: RE: 10/541,845 1604BPE-17-PUS

Mr. Mueller,

Thank you for your prompt response. I will insert your suggested language into the examiner amendment, and submit it for counting today. Have a great day.

Robin Hylton

Primary Examiner, GAU 3781
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From: Craig Mueller [mailto:cmueller@sheridanross.com]
Sent: Wednesday, November 03, 2010 11:44 AM
To: Hylton, Robin
Cc: Bruce Kugler
Subject: 10/541,845 1604BPE-17-PUS

Examiner,

Here is what I propose for your Examiner's Amendment:

Original:

Figure 1,
Figure 2,
Figure 3

show three stages in a manufacturing process of a sheet metal lid, comprising a station for inserting a weakening line 16, a subsequent station for introducing a finger depression 13 and additional beads 18a in the openable area inside the weakening line, and a further station at which a tab 30 is mounted using a rivet 11 integrally formed on the sheet metal lid, via an attaching portion 31 that is shown schematically in all three figures as a flat attachment tongue.

Proposed Amendment:

Figure 1[[,]] shows a station for inserting a weakening line 16.

Figure 2[[,]] shows a station for introducing a finger depression 13 and additional beads 18a in the openable area inside the weakening line.

Figure 3 show three stages in a manufacturing process of a sheet metal lid, comprising a station for inserting a weakening line 16, a subsequent station for introducing a finger depression 13 and additional beads 18a in the openable area inside the weakening line, and a further shows station at which a tab 30 is mounted using a rivet 11 integrally formed on the sheet metal lid, via an attaching portion 31 that is shown schematically in all three figures as a flat attachment tongue.

Clean version:

Figure 1 shows a station for inserting a weakening line 16.

Figure 2 shows a station for introducing a finger depression 13 and additional beads 18a in the openable area inside the weakening line.

Figure 3 shows station at which a tab 30 is mounted using a rivet 11 integrally formed on the sheet metal lid, via an attaching portion 31 that is shown schematically as a flat attachment tongue.

If this proposed amendment is not acceptable, please let me know.

Regards,

CRAIG W. MUELLER

Attorney

SHERIDAN ROSS PC / attorneys at innovation
patent / trademark / copyright

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